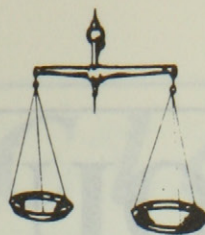


Quid Novi



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January 14, 1987
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Anxiety and Law Studies

by John Relton

Tension, stress, apprehension, anxiety, doubt, fear, intimidation, terror, impending doom. If you think that any of the above adjectives have been applied only to first year experiences in the Faculty of Law at McGill, think again. Article after article in the Journal of Legal Education is filled with a description of anxiety which is applicable to the study of law at any university. In fact, the opening sentence is taken from an article (33 Journal of Legal Education 522) in which a law professor explains that he asked his first year students to maintain journals. He goes on to state that these experiences appear in journal after journal when students describe their first months in legal education.

He goes on to show that "(i)n the face of incessant demands, students develop strategies for coping with an experience that seems bent on devouring them. Legal education involves a struggle to:

- master a mode of teaching that invades our privacy, poses a constant

threat to our integrity and sense of self-worth, and makes us anxious.

- learn a body of knowledge which at times threatens to overwhelm.

- attain the skill necessary for solving "real" human problems. To cope with law school the student must deal with the emotional polarities: excitement-doubt, exhilaration-depression, confidence-anxiety, hope-despair, belief-alienation."

The process of re-evaluation of the ego-ideal with which the law student enters school can and does lead to mild depression. Their self-perceived failure forces them to ask the question of whether their expectations about their future professional lives (or even more basically, about themselves), can be fulfilled. Law school in almost all of its practices ignores (possibly defeats) stu-

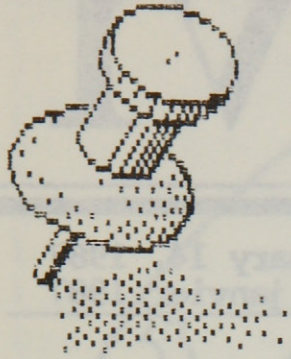
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CAFETERIA UPDATE

Subsequent to the recent MUC Health Inspector's report concerning the unsanitary state of the cafeteria (Quid Novi, November 26, 1986), the walls are presently being painted in an attempt to remedy this situation. After the initial reluctance of the SSMU and the university to resolve this problem, Dean Macdonald stepped forward, offering to assist within the means available to him. Fortunately for all involved, Roy Dalebosik, newly appointed Director of Physical Plant,

has agreed at the Dean's and the LSA's repeated requests, that the university will bear all costs. The LSA wishes to thank Dean Macdonald for his concern in this matter. The LSA also wishes to congratulate the Cafeteria Committee for its hard work in improving the cafeteria services. Should you have any complaints about the cafeteria, please address them to either Teresa Scassa or Phillip Pike.

For more information,
turn to p.4



ANNOUNCEMENTS

McGill Tax Clinic

Have you ever wondered what accounting students can do for you? Probably not. The answer, of course, is to fill in your tax returns!

Once again, the McGill Accounting Club will be holding its Annual Tax Clinic. For those of you who are intimidated by tax forms (or simply don't have the time), this is your big chance to have your return completed by a tireless, dedicated accounting student, and it's all for free! This service is being offered to everybody in the McGill Community, however we do reserve the right to refuse very complicated forms.

The Clinic will be held somewhere on the McGill Campus (exact location is yet to be confirmed) sometime in the month of March. It will be sponsored by a local C.A. firm, and representatives of this firm as well as of Revenue Canada will be on hand to provide assistance.

Keep your eyes peeled for more information on when and where to deposit your forms.

Doug Stansbury
McGill Tax Clinic
Committee

NOTICE

The LSA has formed a budget committee to review the entire budget procedure. The committee requests that interested parties make written submissions to the committee by January 28. Submissions may deal with any aspect of the budget process, and may include complaints and suggestions. Early in February, the committee will be holding open meetings to discuss all materials received. Submissions may be left in the LSA mailbox of committee chairperson Dee Prando. If you have a beef about budgets, now is your time to be heard.

LAW/MBA

First year BCL or LLB students considering the joint LAW/MBA Program for September 1987 should write the GMAT exam in January or March. Application form and brochure available in the Student Affairs Office.

Susanne Major
Admissions Director
MBA Program

Skit Nite 87

Preparations are already underway for this year's swipe at all things legal. If you have an idea for a skit, or if you wish to offer your time and energy to the production, contact Ken Aboud or Kevin Kyte.

Sun Youth Thanks

I would like to thank all those who donated to the Christmas Food Basket. Mr. Sid Stevens of the Sun Youth Organisation also extends his thanks. Trusting you all had a restful and enjoyable holiday and that the 1987 food drive will also be successful.

Cheryl Buckley

Criminal Law Group

The Criminal Law Group has invited Mr. Jean-Claude Hebert to speak in the Faculty on January 21 in the Moot Court at 12:30 PM on "Capital Punishment: An Infringement of the Right to Life."

"The citizen who doesn't stay fairly well abreast of what's going on in the world and know something about the ever-increasing number of things that may affect his destiny is little better than a slave. His ignorance delivers him up, bound hand and foot, to all forms of exploitation. He becomes subject to the most brazen type of propagandist, who can make him salivate or tremble at will."

René Lévesque, Memoirs (1986).

The Quid needs writers!

Candid Close - Ups

by Phillip Pike

The following is the first in a series of articles featuring the life and times of members of the teaching faculty.

SUBJECT:

Roderick A. Macdonald

DATE OF BIRTH:

August 6, 1948

PLACE OF BIRTH:

Markham, Ontario

PASTIMES:

Canoeing, rock climbing, cross country skiing, baseball.

"I'm just an ordinary guy!" The words do not belie the man. Entering Roderick Macdonald's office one does not encounter pretense or the stern glare of an English school master. One encounters a plain talking, unassuming man who, in another setting, could be a baseball coach. It is clear that Macdonald loves to converse. He has an open, easy-going manner with, now and again, a self-indulgent anecdote.

A father of two, Macdonald graduated from York University in 1969 with a concentration in political science. Three years later he received an LL.B. from Osgoode Hall Law School. With a gregarious smile, Macdonald freely offers the fact that there are no major prizes or honours in his background. He was, however, active throughout his academic career. He became involved in many of the legal institutions at Osgoode as well as playing intercollegiate sports.

After being turned down for a Master's degree in political theory at University in Warwick, England, Macdonald pursued his second option which was a Bachelor's degree in Civil Law at the University of Ottawa. Macdonald says he also took this opportunity to learn French. After Ottawa it was back to Toronto and the University of Toronto where he completed a Master of law degree in 1975. He also took time out along the way to marry Shelly Freeman in October of 1974.

His first teaching position was at the faculty of law at the University of Windsor where he stayed until 1979. While at Windsor Macdonald was director of the Community Law program. This involved, among other things, driving through Northern Ontario in a Winabago bus bringing a greater awareness of the law to the communities of Ontario. Macdonald was also an innovator in another area while at Windsor. The faculty of law at U. of W. suffered from what Macdonald calls "the 401 syndrome" - the faculty ended up being the catch basin for those students who couldn't get into law at the Toronto or London Universities, the result being that come 4 PM Thursday there was a mass exodus along Highway 401 back to the Toronto area with students only returning in time for the first class at 10 AM on Monday. This state of affairs made it difficult for the faculty to properly develop any of its objectives such as the Community Law program. Macdonald's contri-

bution to the solution was a restructuring of the admissions procedures. Windsor hoped to attract students for whom Windsor would be, because of its special programs, their first choice. The admissions package steered away from the bare "LSAT marks formula" and targeted candidates with an interest in the things the faculty was attempting to do.

Macdonald says the changes were a success and when he arrived at McGill in June of 1979 he found a similar admissions policy in place which attempted to select students who would benefit from the special interests and goals of the faculty. Macdonald noted that this process was especially important when put against the backdrop of the political changes taking place in Quebec in the late '70's.

From 1981 to 1983 Macdonald was Associate Dean and in 1984, after a sabbatical leave, he began his current 5-year stint as Dean. Macdonald muses that there are 17 days left to the halfway mark in his mandate, "but who's counting?" Asked whether he liked his job and what the perks were Macdonald replied, "I love what I'm doing!" As for the perks he added, tongue-in cheek, that being Dean means that people who otherwise might not give him the time of day will now listen attentively. On a serious note he adds that he is first and foremost a professor and that will always remain his first love. That is one of the reasons why he has insisted on teaching

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Cafeteria Revisited

by Teresa Scassa

Tis the season to be benevolent (placid with extra syllables), and it would be a nice touch to greet the new year with the kind of idiotic optimism that made you think you'd enjoy law school. The folks at the cafeteria have responded to last term's impassioned pleas for gastric asylum with a greater range of food. While quantity is generally no substitute for quality, all those bumped from one course section to another will concede that it is something to be able to choose one's means of execution. The new salads might even be good for you, and the selection of hot food is a tribute to the legal profession's ability to adapt to technological change.

In fact, if one got sufficiently carried away, one might be tempted to sing praises to that basement institution which in the course of one semester, responded to the urgent cries of the masses. With a touching desire to appease, it transformed itself from a fearful tool of digestive oppression to a dowdy second rate cafeteria. It has changed so much that "cafeteria" no longer seems an apt title. It has occurred to the cafeteria committee for example, to call it the "President's Mess."

No doubt most students are by now inquiring as to

their role in the post-revolutionary era. Well, for one thing, they will no longer be called the masses. They are now consumers. Being a consumer entails certain rights and obligations. These will be contained in any good summary. But of primary importance in the realm of cafeteria consumerism is the right to edible food and the concurrent obligation to enforce that right.

So what does it all mean, you ask suspiciously, since it sounds too legal to be meaningful. Well quite simply it means that if your muffin is blue and fluffy inside, you must take it back. You must not whine indignantly to your revolted friends. You must not throw it hastily away feeling somehow unclean. You must march proudly back to the cash and demand your rights. The people at the cafeteria can't correct a problem about which they know nothing. The same applies to stale buns, rancid cheese and tepid coffee. Remember, you're mad as hell and you won't take it anymore.

With a little luck and a lot of vigilance, 1987 may become the year of the digestive tract. The onus, however, is now upon the student body to inform both the cafeteria and their LSA representatives of any deficiencies in service. After all, you are what you eat. Try not to be stale or revolting.

Anxiety and Law Studies Cont'd from p. 1

dents' sense of self-esteem. The emotional pattern of the average student, according to Dr. Stone, a psychiatrist and member of the Harvard Law Faculty, is intense effort and anxiety during the first year; withdrawal, depression and disengagement from classroom involvement during the second year; renewed anxiety and concern about occupational opportunity and ability during the third year.

A readjustment of goals would help to overcome the pattern of disengagement. This, however, depends on a capacity to adjust one's aspirations which itself depends on the availability of acceptable role models and peer group acceptance of these models. Dr. Stone points out "(t)he tragedy is that the faculty in its insistence on 'academic rigor' is perceived as accepting only one form of achievement as authentic. The student who engages, for example, in clinical work with the hope of actively helping someone and proving his own worth has the sense that most of the faculty is unimpressed."

Regardless of the amount of material available on law school and stress none of it seems to be the last word on the actual causes. In one study a comparison is done between law students and students in the Faculty of Medicine; but, even here, the reasons for the stress (or anxiety - and remember the two are not the same) can only be guessed. They were, however, willing to highlight the fact that law students were far less inclined to seek help from others. They pointed out that one

of the reasons may be that the medical faculty employs an Associate Dean, one of whose main responsibilities is counselling; and while law schools employ the Associate Dean in the same manner, seldom is it billed as one of the job's primary duties.

This lack of a single individual responsible for guidance is usually taken care of in other Faculties by individual professors who see advising as part of the normal student/faculty relationship. This is far less possible in a Faculty of Law which has "perhaps the greatest number of students per faculty member of any institution of learning within the educational system." The possibility of all students having a significant personal interaction with faculty outside of class is negligible. Professor Stone goes on to say, "(p)rofessors recognize at some level, often quite consciously, that they must make themselves relatively inaccessible to students if they are to have time to work on their own difficult and frustrating scholarly research, not to mention their outside activities. The problem for the professor, then, is to establish some reasonably acceptable social device for avoiding students...It is ironic that the professor's gratification in belonging to a small community of scholars is threatened by his students' demand to belong to it." (85 Harvard Law Review 392).

As most of the literature points out, a good deal of the anxiety and stress is self-generated: original expectations are either completely wrong, or even worse have not yet formed; students rely solely on themselves; and, competition is capable only

of increasing anxiety. The easiest way to decrease stress is to cooperate. Competition can be counter-productive in more than just one way. A study on cooperation in law school shows that those who cooperate do better. The directors of the study suggest that explaining a concept to someone else is the easiest way to clarify it in your own mind. Since faculty cannot provide the support which may be available in other studies, the responsibility rests on fellow students - a fact clearly recognized by the ease with which LAW PARTNERS signed up the required number of volunteers.

As Steven Schenke pointed out in a letter to the Quid Novi last year, the rigors of professional education at McGill may be stressful but they also lead to high status, a secure career, and the privilege of helping people, none of which can be taken lightly.

As a member of the faculty here at McGill pointed out to the author, stress itself is not necessarily a bad thing. Students, as well as faculty and administrators, not to mention practitioners, will face stressful responsibilities in their roles. The author fully agrees, but feels along with Dr. Stone that "(t)he goal of each professional school should be to keep the amount of stress experienced in a manageable range - to eliminate causes of unnecessary stress, and to keep the remaining stress from becoming debilitating."

CLOSE-UP

Cont'd from p. 3

during his deanship. He does it also because he feels that it is important to have contact with the first-year class. The drawbacks: "There aren't many. I think the career of law professor is a fabulous one. The opportunity to teach, do research and have contact with my colleagues is stimulating. I guess sometimes the intensity of commitment leads to a sort of love/hate relationship."

Macdonald areas of interest and legal research are legal theory, administrative law and, in the Civil Law, secured transactions. In fact his Master's thesis was on legal theory. This penchant perhaps explains the response Macdonald gave when asked what, in his opinion, was the most pressing legal issue in Canada today. Acknowledging it was a difficult question, he ventured to say that society has "a very impoverished conception of what law is all about." With the caution that his response would betray the fact that he is a legal theorist he continued that "we seem to have a view of law as a band-aid that we can throw at all human problems without considering the limits of legislation." It is obvious that Macdonald feels strongly about the subject. He cites as examples of this attitude the effects of the Canadian Charter of Rights and Freedoms. It seems, he says, to reflect a philosophy of law as a simple conflict-solver as opposed to playing a leading role in shaping society. He feels that the trend by Canadian advocates to convert every issue into a

Charter issue reduces" lawyers to the role of a hired gun. When you have, for instance, a husband beating up his wife and children you don't need the Charter to deal with the situation."

The solution? Macdonald says work has to be done to "make and maintain an open and responsive role for law so that it will provide responses to major social crises." He recognizes that "this is not a new challenge to the legal system." He hopes that students will come away

from their legal education with a "larger concept of law than litigation."

At present Macdonald is working on a book which will be an introduction to the theory of law.

In a final reflection on his job Macdonald shows his openness: "I guess I'm here because I can fit in and work well with the others for the things that I do well and they can cover for the things that I don't do well."

Just an ordinary guy!?



"How do you plead to the charge of speeding?"

SPRING BREAK

by Brad Condon

With Spring Break only six weeks away, it is time once again to pick a spot to unwind for a week. It is a good idea to make your travel arrangements soon as the best fares usually must be booked in advance.

My favourite destination is Mexico. Iberia has the best flight to Mexico City from Montreal. It's a direct, 4 1/2 hour flight from Mirabel and it is by far the lowest fare to Mexico City at \$409 return for mid-week flights.

Mexico City is a fascinating place to visit, even though the combination of altitude (7,200 feet above sea level) and air pollution (the equivalent of smoking 3 or 4 packs of cigarettes a day) can cause fatigue. It's the largest city in the world with a population of about 20 million. Some of the highlights are the nightlife of the Zona Rosa, the museums of anthropology and modern art, shopping at La Lagunilla market place, bullfights, pyramids and the mariachi bands of plaza Garibaldi.

One hour south of Mexico City is "the city of eternal spring", Cuernavaca. It has the best climate in Mexico, a beautiful central square with sidewalk cafes and bars, great shopping in the marketplace and some of the best restaurants in Mexico. The pace is slow and the people are friendly.

Acapulco is five hours south of Cuernavaca by bus (\$5) or a half hour flight from Mexico City (\$30). Nice, clean hotel rooms can be had for \$10, although more expensive "American" hotels line the beaches. Although not my favourite beach resort (Puerto Vallarta is cozier and Isla Mujeres - Cancun has nicer beaches), Acapulco is an exciting place to visit, with the cliff divers' death-defying leaps into the Pacific and the lively night life. However, the vendors at the beach can become tiresome. Still, there's always some young Mexican standing by to fetch cold beer for \$1 (una cerveza, por favor!).

It is important to remember that a certain condition, known affectionately as the "Tijuana two-step", "Montezuma's revenge", or simply "turista", is likely to hit if you don't watch what you consume. Soft drinks and

beer are safe, but water is a definite no-no unless it has been boiled or purified in some other manner. It's always a good idea to have some pills on hand just in case. Lomotil works quite well - the equivalent of a plug or cork, you might say. Still, a day of discomfort is well worth the benefits of spending time in such a completely foreign world as Mexico. It's a very refreshing change that does wonders for the February blues that sometimes creep up with Montreal's oh-so-long winter.

One final tip: law books make most uncomfortable pillows when soaking up the sun and don't stand up to well to repeated applications of suntan oil. If you have to take one, take a small one to avoid unnecessarily heavy baggage.

Bon voyage!

EILEEN ORNSTEIN

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